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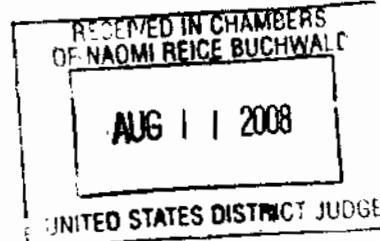
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MEMO ENDORSED
(page 2)

August 11, 2008

VIA FACSIMILE

The Honorable Naomi Reice Buchwald
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007



Re: United States v. Soriano Martinez
07 Cr. 308 (NRB)

Dear Judge Buchwald:

I am the attorney assigned to represent John Perez, one of the defendants in the above-referenced indictment.

This letter is respectfully submitted to request an adjournment of Mr. Perez's appearance at the upcoming status conference, which is currently scheduled to take place on August 12, 2008, at 3:30P.M. It is respectfully requested further that, instead of a status conference, a change of plea proceeding be scheduled to take place with respect to Mr. Perez for on or about September 2, 2008. The reasons that such an adjournment is being requested are outlined below.

First, when Your Honor scheduled the August 12, 2008 conference date, I did not have my Blackberry device, which contains my schedule, because I was required to check my device upon my arrival at the courthouse. As a result, I did not realize that the conference was being scheduled for the same date and time that I am scheduled to pick up my 12 year-old daughter from Newark Airport (as she returns from summer camp), and accordingly, I have a scheduling conflict as a result of my own error.

Additionally, the parties have only recently concluded plea negotiations in this case. As a result of the plea negotiations, Mr. Perez intends to enter a plea of guilty to violating 21 USC § 841(b)(1)(A). Even though Mr. Perez appears eligible for safety valve relief, which will allow the Court to

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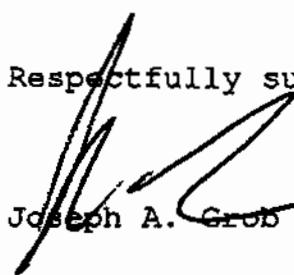
impose a sentence without regard to a mandatory minimum pursuant to 18 USC § 3553(f), the statutory maximum for the offense at issue is still a maximum of life in prison. Once Mr. Perez, who is at liberty in this case, enters a plea of guilty, 18 USC § 3143(2) would appear to require that he be detained/remanded immediately. Mr. Perez, however, would like an opportunity to settle up his affairs, i.e., get married to his girlfriend and mother of his 7 month-old child, and arrange for housing and assistance for his soon to be wife and child while he is incarcerated. In that regard, Mr. Perez has been at liberty on a \$300,000 personal recognizance bond, co-signed by 3 financially responsible persons, since August 2007, and I am informed that Mr. Perez has been in full compliance with the terms and conditions of his release throughout.

It is respectfully submitted that scheduling a change of plea proceeding for September 2, 2008, or thereafter, would provide Mr. Perez with sufficient time to settle up his personal affairs so that he may be remanded upon his plea of guilty. I have spoke AUSA Arianna Berg regarding this matter and she advises me that the Government has no objection to this request.

In light of the above, it is respectfully requested that the August 12, 2008 conference previously scheduled in this matter be adjourned as to Mr. Perez, and that a change of plea proceeding be scheduled for September 2, 2008, or thereafter.

Thank you in advance for Your Honor's consideration in this matter.

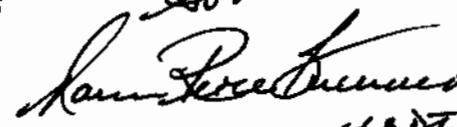
Respectfully submitted,
Joseph A. Grob



for the same
reasons Speedy

trial twice
is excluded
under them.

So Ordered.



8/11/08

ccs DT

cc: AUSA Brendan McGuire
(Via Facsimile)
AUSA Arianna Berg
(Via Facsimile)

MEMO ENDORSED